

REMARKS

In view of the above amendments and the following remarks, reconsideration of the rejections and further examination are requested.

Claims 1-9 were pending in this application and stand rejected. Claims 1, 6, 8 and 9 are amended herein, and claim 7 is cancelled herein. Thus, claims 1-6, 8 and 9 are currently pending in this application. No new matter has been added.

The specification and abstract have been carefully reviewed and revised to make grammatical and idiomatic improvements in order to aid the Examiner in further consideration of the application. Amendments to the specification are contained herein. Moreover, a substitute Abstract including revisions has been prepared and is submitted herewith. Also submitted herewith is a marked-up copy of the Abstract indicating the changes incorporated therein. No new matter has been added.

Claim 7 has been rejected under 35 U.S.C. § 101 because the Examiner asserted that the claimed invention is directed towards non-statutory subject matter. Claim 7 is cancelled herein, thus rendering the 35 U.S.C. § 101 rejection moot.

Claims 1 and 6-9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Shimizu et al. (U.S. Patent Application Publication No. 2001/0013130) (hereinafter referred to as “Shimizu”) in view of McKissick et al. (U.S. Patent Application Publication No. 2007/0124795) (hereinafter referred to as “McKissick”). Although claims 2-5 are not listed in the statement of the rejection, they are included in the body of the rejection on pages 5 and 6 of the Office Action. Thus, the Applicants consider that all of claims 1-9 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Shimizu in view of McKissick.

Because claim 7 is cancelled herein, the 35 U.S.C. § 103(a) rejection of claim 7 has been rendered moot.

The above-mentioned rejections are traversed for the following reasons.

With exemplary reference to the figures, claim 1 sets forth a data reception terminal 102 for receiving multiplexed data obtained by multiplexing TV program data including at least video or audio and scene-related information related to a scene of the TV program data, and creating an electronic mail by utilizing the multiplexed data. The data reception terminal 102 comprises: a receiving section 401 operable to receive the multiplexed data; a decoding section 402 operable

to separate the received multiplexed data into the TV program data and the scene-related information; an output section 403 operable to output the separated TV program data; a storage section 404 operable to store the separated scene-related information; an input/output acceptance section 406 operable to, in response to a request from a user, generate scene specification information for identifying a portion of the TV program data that is being outputted from the output section 403, the scene specification information including identification information and time; a retrieval section 405 operable to retrieve, from the storage section 404, scene-related information corresponding to the scene specification information; a format conversion section 407 operable to convert the retrieved scene-related information into a format which enables the scene-related information to be used in the electronic mail; and a mail creation section 408 operable to create a part of data of the electronic mail by utilizing the converted scene-related information.

In contrast to the present invention recited in claim 1, Shimizu discloses a digital broadcasting system 500 that includes a manual event message unit 513, which is a terminal apparatus and includes a manual event message storing unit 513a and a graphical interface for an operator (see para. [0014]). The manual event messages are created by a producer that uses a graphical user interface to input various instructions and the definition of each manual event message (see para. [0062]). According to the instructions inputted by the producer through the graphical interface, the manual event message unit 513 generates and edits a manual event message and stores the message in the manual event message storing unit 513a. Upon receiving an operator's instruction, the unit 513 reads the manual event message from the unit 513a and outputs it to a multiplexing unit 514 (see para. [0014]).

The multiplexing unit 514 generates packets from video and audio streams, carousal data streams and manual event messages that are respectively sent from a video and audio transmission control unit 511, a content transmission control unit 512, and a manual event message unit 513. After receiving the various information, the multiplexing unit 514 generates packets from the received information, generates transmission data by multiplexing the packets with other packets generated from streams, and transmits the transmission data over a broadcasting wave (see paras. [0088] and [0015]).

The operation procedure that should be performed by each receiver that receives a manual

event message 3/513b is embedded into content 521 as a program. The operation procedure is written as a program in a scene information file 523a, which includes a program for having each receiver that receives the event message 3/513b display message data included in the event message 3/513b on a screen (see paras. [0017] and [0093]). Each receiver displays message data included in the manual event message 3/513b by superimposing the message data on a current image displayed on a television screen (see para. [0020]).

When a receiver receives a content scene file such as “detailed news 1.bml,” it executes the program included in the content. Thus, while displaying the content, the receiver monitors broadcast data and checks whether a certain event message_id is transmitted. If the event message_id is transmitted, the receiver displays the message data included in the event message data on a current display screen (see paras. [0093] and [0094]).

In the rejections, the Examiner asserted that Shimizu teaches “a data reception terminal for receiving multiplexed data obtained by multiplexing multimedia data including at least video or audio and scene-related information related to the multimedia data,” because Shimizu discloses in Fig. 1 and in para. [0017] a multiplexing unit 514 that transmits multiplexed audio/video data from the transmission control unit 511 and the message 513b, that is scene related, to the receiver. Thus, it is apparent that the Examiner has taken the position that the receiver of Shimizu discloses the data reception terminal for receiving multiplexed data recited in claim 1, and that the multiplexing unit 514 generates and transmits the multiplexed data. Thus, as construed by the Examiner, the multiplexing unit 514 (which is included in the broadcasting system 500) transmits multiplexed data, and is not a receiver that receives the multiplexed data.

Moreover, the Examiner asserted that Shimizu discloses a decoding section operable to separate the received multiplexed data into the TV program data and the scene-related information, because Shimizu describes in Fig. 6 and step 151 “the extraction of the data and the scene related info, the event message.” However, step 151 as described in paragraph [0084] of Shimizu does not occur in the receiver, but instead occurs in the broadcasting system 500 before the information is multiplexed by the multiplexing unit 514 and transmitted. Thus, the Applicants respectfully submit that Shimizu does not disclose this feature of claim 1.

The Examiner also asserted that Shimizu discloses an output section operable to output the separated multimedia data because Shimizu describes in paragraph [0017] “the output of the

scene and the message.” However, as discussed above, the Examiner cited step 151 and Fig. 6 as disclosing separating the received multiplexed data into the TV program data and the scene-related information in the receiver, but step 151 actually occurs in the broadcasting system 500 of Shimizu. Thus, because the broadcasting system 500 includes the separated multiplexed data (as indicated by step 151 and as apparently asserted by the Examiner), the receiver does not include the separated multiplexed data, and therefore cannot output this information. Thus, the Applicants respectfully submit that Shimizu does not disclose this feature of claim 1.

Moreover, the Examiner asserted that Shimizu discloses an input/output acceptance section operable to, in response to a request from a user, generate scene specification information for identifying a portion of the multimedia data that is being outputted from the output section, because Shimizu describes in paragraph [0014] “the user, the operator, inputting via a graphical user interface, and outputting the data.” However, paragraph [0014] discloses information about a manual event message unit 513 and a multiplexing unit 514 that are included in the broadcasting unit 500, not in the receiver. Moreover, as discussed above, the broadcasting system 500 includes a manual event message unit 513, which is a terminal apparatus and includes a manual event message storing unit 513a and a graphical interface for an operator (see para. [0014]). The manual event messages are created by a producer that uses a graphical user interface to input various instructions and the definition of each manual event message (see para. [0062]). Consequently, in response to a user’s input at a graphical interface of the unit 513, the manual event message unit 513 creates messages – the receiver does not receive the user’s input and create the messages. Thus, the Applicants respectfully submit that Shimizu does not disclose this feature of claim 1.

Furthermore, the Examiner asserted that Shimizu discloses a retrieval section operable to retrieve, from the storage section, scene-related information corresponding to the scene specification information, because Shimizu describes in paragraph [0011] a “content registering unit, which retrieves the scene related information from the storage section.” However, the content registering unit 530 described in paragraph [0011] is part of the broadcasting system 500, not the receiver. Thus, the Applicants respectfully submit that Shimizu does not disclose this feature of claim 1.

As admitted by the Examiner in the Office Action, Shimizu does not disclose “a format

conversion section operable to convert the retrieved scene-related information into a format which enables the scene-related information to be used in the electronic mail; and a mail creation section operable to create part of a data of the electronic mail by utilizing the converted scene-related information.”

The Examiner cited McKissick as teaching these features, and specifically asserted that McKissick teaches “a format conversion section operable to convert the retrieved scene-related information into a format which enable the scene-related information to be used in the electronic mail,” because McKissick “shows in Fig. 17 the ability to send the program guide information 311 with the electronic mail, the message 308.” However, Fig. 17 and related paragraphs [0123]-[0126] describe a television display screen 300 that allows a user to compose the text of a message in box 308 and send it to another user. If desired, a user can compose a text message using a television screen keyboard or by choosing from a list of standard messages.

Moreover, paragraph [0126] of McKissick describes sending program guide information to another user as part or all of a message by selecting option 311. The program guide information may be a brief description of the program in window 304, a portion of the program guide listings, or a TV program or channel. Furthermore, typing text in or selecting text for box 308 to send a message to another user, or sending program guide information to another user as part or all of a message does not convert retrieved scene-related information into a format so that it can be used in an electronic mail. McKissick merely describes typing text in or selecting a text message for box 308, and attaching program guide information to a message. Thus, the Applicants respectfully submit that McKissick does not disclose a format conversion section as recited in claim 1.

The Examiner also asserted that McKissick discloses a mail creation section operable to create a part of data of the electronic mail by utilizing the converted scene-related information, as box 308 in Fig. 17. However, because McKissick does not convert information into a format so that it can be used in an electronic mail, McKissick does not disclose the mail creation section as recited in claim 1.

Moreover, it is clear that McKissick provides no disclosure or suggestion that would have obviated the above-discussed shortcomings of Shimizu.

Regarding claims 6, 8 and 9, they are patentable over the references relied upon in the

rejections for reasons similar to those set forth above in support of claim 1. That is, each of claims 6, 8 and 9 similarly require separating received multiplexed data into TV program data and scene-related information, outputting the separated TV program data via an output section, storing the separated scene-related information in a storage section, and generating, in response to a request from a user, scene specification information for identifying a portion of the TV program data outputted from the output section, wherein the scene specification information includes identification information and time. Moreover, claims 6, 8 and 9 similarly require retrieving, from the storage section, scene-related information corresponding to the scene specification information, converting the retrieved scene-related information into a format which enables the corresponding scene-related information to be used in the electronic mail, and creating a part of data of the electronic mail by utilizing the converted retrieved scene-related information.

For at least the reasons set forth above, it is respectfully submitted that the above-discussed features as recited in claims 1, 6, 8 and 9 are not disclosed in the references applied by the Examiner. Furthermore, it is respectfully submitted that one of ordinary skill in the art at the time the invention was made would not have found it obvious to modify Shimizu in such a manner as to result in, or otherwise render obvious, the invention of claims 1, 6, 8 and 9. Therefore, it is respectfully submitted that claim 1 and claims 2-5 depending therefrom, and claims 6, 8 and 9, are clearly allowable.

In view of the foregoing amendments and remarks, all of the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action are respectfully solicited.

Should the Examiner believe there are any remaining issues that must be resolved before this application can be passed to issue, it is respectfully requested that the Examiner contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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